

SENATE BILL NO. 13

INTRODUCED BY SHOCKLEY, BALES

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING QUALIFICATIONS OF MEMBERS OF THE FISH, WILDLIFE, AND PARKS COMMISSION BY PROVIDING THAT AT LEAST ONE MEMBER MUST BE ACTIVELY ENGAGED IN ~~AND DERIVE A MAJORITY OF INCOME FROM~~ THE BREEDING AND MANAGEMENT OF DOMESTIC LIVESTOCK AND HAVE AN OWNERSHIP INTEREST IN AT LEAST 1,280 ACRES OF LAND; AMENDING SECTION 2-15-3402, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 2-15-3402, MCA, is amended to read:

"2-15-3402. Fish, wildlife, and parks commission -- composition -- qualifications -- quasi-judicial.

(1) There is a fish, wildlife, and parks commission.

(2) The commission consists of five members. At least one member must be experienced in and actively engaged in ~~and must derive a majority of income from~~ the breeding and management of domestic livestock and own or be a shareholder, partner, owner, or member of a family corporation, family partnership, sole proprietorship, or family trust that owns at least 1,280 acres of land. The governor shall appoint one member from each of the following districts:

(a) District No. 1, consisting of Lincoln, Flathead, Sanders, Lake, Mineral, Missoula, Powell, Ravalli, Granite, and Lewis and Clark Counties;

(b) District No. 2, consisting of Deer Lodge, Silver Bow, Beaverhead, Madison, Jefferson, Broadwater, Gallatin, Park, and Sweet Grass Counties;

(c) District No. 3, consisting of Glacier, Toole, Liberty, Hill, Pondera, Teton, Chouteau, Cascade, Judith Basin, Fergus, Blaine, Meagher, and Wheatland Counties;

(d) District No. 4, consisting of Phillips, Valley, Daniels, Sheridan, Roosevelt, Petroleum, Garfield, McCone, Richland, Dawson, and Wibaux Counties;

(e) District No. 5, consisting of Golden Valley, Musselshell, Stillwater, Carbon, Yellowstone, Big Horn, Treasure, Rosebud, Custer, Powder River, Carter, Fallon, and Prairie Counties.

1 (3) Appointments must be made without regard to political affiliation and must be made solely for the
2 wise management of the ~~fish, wildlife~~ wildlife, fish, and state parks and other outdoor recreational resources of
3 this state. A person may not be appointed to the commission unless ~~he~~ the person is informed or interested and
4 experienced in the subject of wildlife, fish, parks, and outdoor recreation and the requirements for the
5 conservation and protection of wildlife, fish, parks, and outdoor recreational resources.

6 (4) A vacancy occurring on the commission must be filled by the governor in the same manner and from
7 the district in which the vacancy occurs.

8 (5) The fish, wildlife, and parks commission is designated as a quasi-judicial board for purposes of
9 2-15-124. Notwithstanding the provisions of 2-15-124(1), the governor is not required to appoint an attorney to
10 serve as a member of the commission."

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12 NEW SECTION. Section 2. Effective date. [This act] is effective on passage and approval.

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14 NEW SECTION. Section 3. Applicability. [This act] applies to appointments made to the fish, wildlife,
15 and parks commission on or after [the effective date of this act].

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